

Marginal Column
By SHAYA SHAPIRO

THE unchanging East? I notice the tourist and the politician. The one finally escapes it by going home; the other often tries to lure it into submission by adopting its manners — as did the Macedonians, and as T.E. Lawrence's companions tried to do — and themselves become Oriental in the extreme. Or they attempt to copy Oriental barbarity, only to succumb to the frustrating effect of Oriental irreversibility — as happened to the Turks. And so it has happened to the Arabs themselves.

LONG before the Arab conquest of Egypt, the Egyptians had already displayed all the characteristics of a "people" — the Greek word — as, rather the Macedonians — who ruled Egypt more than two centuries — were baffled by their subjects. "There was in the Egyptian character," a French historian said in describing Ptolemaic rule — "a disconcerting lack of consistency. In a long period of servitude, the Egyptian had developed a softness which, coupled with oriental pliancy, enhanced in him the taste for intrigue at the expense of a free man's dignity. He had often shown a peculiar vanity, feeding on memories of a glorious past, which sometimes became ridiculous bragging. He was also inclined to exaltation, which led him often to acts of savage cruelty." Poor Pierre Jouquet could not help stating the facts, being an honest historian. He did not hide his regret that Antiochus failed to annihilate the Jews.

THIS constancy of the Egyptian is a national character, it is melancholy. But even more melancholy is the lack of historical associations among the empires of the outside world who deal with the Egyptians. An Alexander sacrificed to Amon Ra to gain Egyptian recognition; a Byzantine saved the mark would sacrifice a slice of the Negro and even the whole of Israel to win over Abdul Nasser.

BUT "the irreducible East" has one other constant quality: it despises the computer who stops to ask its favours. The Diadochi who married their sisters to please the Egyptians soon became as soft and indulgent as the worst of their subjects. The British, it seems, did their utmost to respect and even adopt Eastern customs and traditions; yet, to appreciate the liability of the Atlantic Alliance in most of the Near East one must understand how deeply, indeed pathologically, the peoples feel about the British, a Princeton professor recently remarked.

ARE we to have a kiplingque solution, then, and admit that East is East and West is West, and do nothing to bridge the two? This would be wrong, of course. For the Middle East would not stay put; it would try to expand, as do the jungle and the desert when untouched by human matters, and would encroach, as they did for centuries, on Europe and India alike. Obviously, whether the East wants it or not, the West will not let it drift leisurely towards a paradise for petty monarchs, which it has so often been in the past.

PROFESSORS — a few of them at least — have been aware for some time that the politicians' insistence on regional homogeneity offered little hope for the Middle East. It also recently occurred to the professors that — as the Arabs have been saying in well-disguised and veiled phrases — that Israel might become a permanent opening for the Western, that is, the logical and pioneering spirit in the Middle East. It was only the unbounded prejudice of some politicians and military men which rallied a part of western opinion to Arab infatuation.

NOW, the professors and the Arabs might be wrong in permanently associating Jews or Israel, for that matter, with the Western world, or let us say, the European world. Since Zionist immigration began seventy years ago in the place which has ever considered itself as a "temple or hostile to the Arab. By virtue of his irreducibility, he claimed for himself a place recognized by the world — West, East and Arab. Israel still exists this recognition.

THE mutual affinity between European thought and Jewish thought must be sought simply in the fact that both respect human life and individuality. Human dignity — the dignity of every human being — is surely Abraham's legacy.

IT is a thought which would make the blood of many a Cairo leader boil today.

Ed. Note, November 20.

Torrents Halt Traffic In Tel Aviv Area

JERUSALEM POST STAFF
TEL AVIV, Wednesday. — Following a torrential downpour that started just before midnight last night, the city was cut off to the north and north-east for part of the day, with the bridges on the three main roads out of the city flooded. In Ramat Gan, families were forced to climb to the roofs of their houses for safety. The sun came out in the afternoon but by 10.30 tonight the rain had begun again, accompanied by thunder and lightning.

About 130 millimetres of rain were recorded for Tel Aviv during the past 24 hours, or a third of the annual average. Ramat Gan had 22 mm, and Jerusalem, 34.

The main part of the city was completely cut off from the north today until almost noon. The downpour, which caused the level of the Yarkon River to rise until it overflowed at several places, breaking contact with Ramat Gan and the northern suburbs of the city itself. The bridge on the Natanya road was entirely submerged, and traffic could not be diverted via the Hertzliya or Petah Tikva roads because the river had caused the same trouble there.

The buses in the Dan cooperative's northern garage were marooned, which led him often to acts of savage cruelty. Poor Pierre Jouquet could not help stating the facts, being an honest historian. He did not hide his regret that Antiochus failed to annihilate the Jews.

It's An Ill Wind
JERUSALEM POST, Reporter
JERUSALEM, Wednesday. — The red locusts which swarmed in several places along the Eilat Road yesterday were all gone today, apparently driven away by the rain.

Locust swarms were noticed in Wadi Gira along a 30 kilometre stretch of road, as well as between Kilos 70 and 75 of the road.

day, the large bridge on the road between Petah Tikva and Beit Lidd was closed to traffic, and by the evening, public service vehicles were no longer travelling north from the city.

In the south of Tel Aviv, Jaffa appeared a sorry mess this morning, with most of its pavements mud-caked and slippery, and pools of water on the roads hindering drivers and pedestrians.

Hatikva District Hit
The Hatikva district suffered most in the southern part of the city, where houses being flooded to a height of a metre or more. After trying for hours to bail out the water from their basements, many of the weary housewives gave up as a bad job, because the water was entering quicker than they got rid of it, and they began to improve matters by diverting the flood elsewhere. The morning did not bring an end to the misery of the flood victims, in spite of the fact that the waters had receded, and a warm drizzle was shining. Children in the Hatikva Quarter could not reach schools and kindergartens, and to make matters worse, supplies of bread, milk and other foodstuffs bought daily were unavailable because of transport difficulties.

Mayor of Tel Aviv, Mr. Haim Levinsky, told The Jerusalem Post today that "everything is under control." The Wadi Gira (Municipal) chief cause of flooding in the adjoining quarters — "behaved well" as a result of the raising of the bank near the station. Flooding was inevitable in houses standing in depressions, he said, and some cellars had been used for accommodation and storage despite warnings from the Municipality.

Army Lends Boats
The Municipal Technical Department had been called out last night to a number of places to pump water out of houses while boats loaned from the Army were brought to Hadar Yot, a northern suburb near the Yarkon River, to come to the aid of flooded residents. In Jaffa, the department took 30 people from flooded houses to spend the night in a school. Regarding the flooded roads throughout the city, the Mayor said that no drainage system could take such a

THE JERUSALEM POST
Has the chance for the nationalistic spirit? The Jewish people, from biblical times, have been associated with the Jewish people. The Jewish people, from biblical times, have been associated with the Jewish people.

Foreign Danger TO ISRAEL OIL
In this week's
HERE & NOW

Ben-Gurion Repeats Peace Talks Offer

JERUSALEM POST REPORTER
Prime Minister David Ben-Gurion yesterday repeated the offer of the Government for peace and cooperation with Egypt, when he received Maj. Gen. E.M. Burns, Chief of Staff of the Egyptian Government, in the Prime Minister's office.

Big Four Suspend Talks On Europe Security, German Unity

GENEVA, Wednesday (Reuter). — The Big Four Foreign Ministers today suspended talks on German unity and European security, admitting their failure to reach agreement on these two problems. They will now pass to items two

Harding to Seek New Talks with Makarios

LONDON, Wednesday (Reuter). — The Governor of Cyprus, Sir John Harding, is expected to open talks with Archbishop Makarios, leader of the Cypriot movement for union with Greece, on the Cyprus situation.

Jordan, Lebanon Said Joining Baghdad Pact

BAGHDAD, Wednesday (Reuter). — Jordan and the Lebanon are said to have agreed to join the Baghdad Pact, a diplomatic source said here today.

Widespread Victories For Democrats in U.S.

NEW YORK, Wednesday (Reuter). — Democrats scored widespread victories in yesterday's local elections in the United States and jubilant party leaders today are predicting even bigger gains in next year's national poll with a Democratic President once more installed in the White House.

Civilian Chief for Morocco

PARIS, Wednesday (Reuter). — With only one week to go before Sultan Sidi Mohammed Ben Youssef returns in triumph to his capital of Rabat, the Government today appointed a civilian to succeed the soldier who headed its administration there.

S. African Walk-Out at U.N.

NEW YORK, Wednesday (Reuter). — The South African Government today recalled its entire delegation to the Assembly, in protest against the session of the U.N. General Assembly.

Asian Socialist Plan for Mid-East

RANGOON, Wednesday (Reuter). — The Secretariat of the Asian Socialist Conference today issued a statement describing the situation in the Middle East as a menace not only to the peace of the area but also to the world.

Ike Leaves Way Open For Study of Israel Arms Bid

BEN-GURION REPEATS OFFER OF PEACE TALKS
Urges Restraint in Weapon Supply

COLORADO, Wednesday. — President Eisenhower said today the U.S. does not intend to contribute to the arms race between Israel and Egypt. "We do not think such a race would be in the true interest of any of the participants," he said.

Eden: Will Try For Israel-Arab Peace

LONDON, Wednesday (Reuter). — Sir Anthony Eden tonight said he would try to secure a peace between Israel and Egypt, when he received Maj. Gen. E.M. Burns, Chief of Staff of the Egyptian Government, in the Prime Minister's office.

Sharett Leaves For U.S. Visit

LYDDA AIRPORT, Wednesday. — The Minister for Foreign Affairs, Mr. Moshe Sharett, left for the U.S. this morning to attend a meeting of the United Nations Security Council on the Middle East situation.

Plains Delayed

Mr. Sharett's plane, due at 4.30 a.m., was delayed because the airfield lights went out just when the aircraft was about to land. It landed in Cyprus instead, and returned at 7 a.m. The scheduled departure time was 7.30.

DUTCH PARLIAMENTARY DELEGATION COMING

THE HAGUE, Wednesday (Reuter). — A Dutch parliamentary delegation of seven, including one woman, will pay a goodwill visit to Israel early next January at Israel's invitation. It was announced here today.

ARAB LEAGUE HEARS BURAIKI CASE

CAIRO, Wednesday. — Saudi Arabia today asked the Arab League Political Committee today that she had submitted her dispute with Britain over the oil-rich Buraiqi oasis to the U.N. Security Council.

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Social & Personal

The President yesterday received Judge Haim Leventhal, President of the Supreme Court, and Mrs. Ben-Zvi yesterday entertained to dinner the Minister of Finance, Mr. Levi Eshkol, Mr. and Mrs. Israel Rieff, Dr. Gideon Joseph, the Jewish Agency Treasurer, and Mr. and Mrs. Moshe Kol.

A dinner in honor of Dr. Gunnar Myrdal, Executive Secretary of the United Nations Economic Commission for Europe, was given last night by Mrs. Golda Meyer, Acting Foreign Minister, at the Eden Hotel in Jerusalem. Among those present were Mr. Mordechai Namir, M.K., Secretary General of the Histadrut; Dr. C. Hart Schaff, head of the U.N. Technical Assistance Mission in Israel; Mr. Walter Rytan, Director-General of the Foreign Ministry; and Mr. Moshe Bar-Tur, Director of the Economic Division of the Ministry.

Dr. Yosef Bar, the Minister of Posts, entertained to luncheon on Tuesday the Basle Jewish Community leader, Mr. Alfred Bodenheimer, and Mrs. Bodenheimer.

The Governor of the Bank of Israel, Mr. David Horowitz, yesterday received Representative A. Muller of New York, a member of the Congressional Banking Committee. A reception in honor of Mr. and Mrs. Muller was held last night at the home of Mr. and Mrs. S. Ussishkin in Jerusalem on behalf of the Jewish National Fund.

The Haifa Maritime League gave a reception for Mayor A. Khoshy on Tuesday night.

Mr. Dan Matzpen has been appointed Director of the Port of Haifa.

DEPARTURES: Mr. A. Lieber, of the Ministry of Commerce and Industry, accompanied by Mrs. Lieber, for Ramatou, to take up his post as Economic Adviser to the Burmese Government, to which he has been loaned by the Ministry. Mr. Joseph Teicher, General Manager of the Alliance Tira Co. for the U.S. on behalf of the State of Israel Bond Organization.

Mr. E.G. Brown, Attorney-General of California, and Mr. Brown, and Mr. O. Salinger, Vice-President of the American Technion Society and President of the California Chapter, visited the Technion yesterday and were entertained by its President and Mrs. Y. Dor.

The Australian Minister, Mr. Charles C. Ballard, is to introduce a special colored film on his visit to Australia, which is to be shown to members of the Jerusalem branch of the Israel and British Commonwealth Association in the Y.M.C.A. Auditorium tonight at 8.30.

Dr. Baruch Ben-Yehuda, Director of the Herzliya Secondary School, is to address the Tel Aviv-Jaffa Rotary Club on Problems of Secondary School Education at 8.00 A.M. House at 1.15 p.m. today.

BIRTH
COHEN — to Adah (nee Polak) and Alfred Cohen, Thuvva Dair, Beit Hillel, a son, Jair, on October 11.

S.A. Cricketers Arriving Sunday
The South African Maccabi cricket team is due to arrive here next Sunday for a series of two-day matches against local sides. The four games scheduled are: November 17 and 18 at Ashdod; November 22 and 23 at Ashdod; November 23 and 24 at Ashdod; and November 24 and 25 at Haifa.

From reports received from South Africa, the visiting side includes some of the outstanding players, and will provide the first real test for local players. The team will be chosen from the following players, who have been selected from the four strongest local sides: B. Cohen (Ashdod), L. Green and Day (Tel Aviv); G. Gidman, D. Gidman, G. Gidman and T. Gidman (Jerusalem); G. Gidman, G. Gidman, G. Gidman and T. Gidman (Ashdod); W. Gidman, W. Gidman and K. Gidman (Haifa).

HIGHER SCHOOL FEES
Likely in Tel Aviv
P. AVIV, Wednesday. — Fees in secondary schools in Tel Aviv are likely to be raised by about 20 per cent in order to cover increased costs. It was said at a meeting of the Municipal Finance Committee today.

RHEUMATIC FEVER
BENEFIT NIGHT
The Obel actor, Mr. M. Mar, is to present dramatic readings at a benefit performance for the Israel Rheumatic Fever Society at the Hebrew Secondary School, Jerusalem, at 8.30 on Sunday night.

The Society was formed to combat this serious disease, the local death rate of which is higher than the combined toll of diphtheria, scarlet fever, whooping cough, measles, malaria and typhoid fever.

Half the number of deaths occur below the age of 40 — with one quarter below the age of 25. In view of this, rheumatic fever is more serious than tuberculosis.

A Happy Event? Announce it in our Social & Personal column. Friends all over the country and abroad will be pleased to read about it.

LAW REPORT

The Jerusalem Post
November 10, 1955

In the Supreme Court Sitting As Court of Civil Appeals

Before the Deputy President Justice Cheshin, Justices Ben-Zion and Witkon.

Yosef Weisbach, Appellant, v. The Kiryat Harehshet Local Council, Respondent (C.A.300/53).

No Appeal to District Court in Municipal Tax Dispute

The Supreme Court dismissed an appeal against a decision of the Haifa District Court delivered on December 1, 1953 (Citation 382/53).

A dispute with regard to municipal rates broke out between the appellant and the Kiryat Harehshet Local Council. After an unsuccessful appeal to the District Court, the appellant appealed to the Haifa District Court, in accordance with section 84(a) of the Local Councils Order, 1950, which was issued by the Minister of Interior. This section states that any appeal against a decision of the District Court may be made to the District Court.

The Local Council challenged the District Court's jurisdiction, claiming that Article 40 of the Palestine Order in Council, 1922-47, had confined the District Court's exercise of jurisdiction as an appellate court to appeals against decisions of the Magistrates' Courts and to any other appeals, subject to the provisions of any ordinance. Since this article required that additional jurisdiction could be conferred on the District Court by Ordinance only, the Minister of Interior was precluded from conferring such jurisdiction on the District Court by Rules issued under his hand. The District Court, composed of one judge only, accepted this argument and dismissed the appeal.

Before the Supreme Court Dr. Weisbach appeared for the appellant, Mr. Bloch for the respondent. The Attorney General was represented by Mr. Bar-Or, Assistant State Attorney.

Judgment

The judgment of the Supreme Court was delivered by Justice Cheshin, who summed up the problem before the Court as follows: If the District Court had heard the appeal in its capacity as an appellate court — which the appellant and the Attorney General had claimed it was entitled to do — then it should have been composed of three judges, and not one; but if, in accordance with the alternative claim of the appellant and the respondent, it had acted as a court of first instance, then it had erred in disqualifying itself from hearing the appeal. If, therefore, the Supreme Court should reach the conclusion that the intention of section 84(a) was to confer original jurisdiction on the District Court, then the case would have to be returned to the lower court to be heard on its merits. On the other hand, if the Supreme Court concluded that the District Court should have appellate powers, and that these powers could legally have been conferred by an Order, then the Court would have to decide whether the appellant's appeal and leave him with no alternative remedy.

Justice Cheshin, after considering the question of the nature of the jurisdiction conferred on the District Court by section 84(a), analyzing the connections in which the word "appeal" may be used with reference to legal authorities, English and local precedents, and local Ordinances, and tracing the development of the jurisdiction given to the District Courts, he concluded that it was clearly the intention of section 84(a) that the District Court should serve as an appellate court from the objects committee, empowered to deal with the question of whether, and to what amount, a tax should have been levied. It was certainly not the intention, the Justice said, that the District Court should serve as a court of first instance with powers to deal with complaints about any alleged injustice inflicted upon a taxpayer.

Justice Witkon then turned to the question of whether appellate powers could have been conferred on the District Court by an Order. He dismissed the appellant's claim that the District Court had jurisdiction only by a non-sovereign legislature was not free to choose another process and delegate its duties to a different body. The District Court had therefore been correct in holding that it had not legally been vested with jurisdiction to serve as a court of appeal.

Delegation of Legislative Powers
Justice Cheshin, after agreeing unreservedly with Justice Witkon that the intention of section 84(a) was to confer appellate powers on the District Court, dealt with the appellant's argument regarding the powers of the Mandatory Government as a delegate of the British Crown, to re-delegate the functions conferred upon it by the Order in Council. This argument had been based on the respondent's argument that the legislature had unlawfully delegated its functions to the Minister of Interior. Justice Cheshin held that there was no question here of delegation of powers but one of maintaining the restrictive boundaries laid down by a supreme legislative body to the Privy Council. The Mandatory Government had not been a delegate of the Privy Council, but, within the bounds of the powers conferred upon it by the Order in Council, had been a sovereign body entitled either to legislate itself or to delegate its functions to a subordinate body.

The appeal was dismissed with a recommendation to the legislature to amend the present situation as soon as possible. In view of the fact that the appellant was not responsible for the irregularity in the law, the Supreme Court decided not to impose any costs.

Judgment given on October 31, 1955.

Yesterday's Press

'Macmillan Proposes, Nasser Disposes'

"Lamarche" (Abdus Hamdani), analyzing Mr. Macmillan's conjecture that Egypt may lift its restrictions on British traffic in Suez, writes that that may be good news for Great Britain, but that Israel has nothing to gain from the Secretary's suggested "general settlement of the Arab-Israeli dispute." That "arrangement," in the eyes of the West, amounts to Israel's making such concessions as, for example, the agreement to open a Negro corridor linking Egypt with Jordan. Less than 24 hours later, the Cairo dictator expressed his intention of making the Sinai Peninsula a closed area to civilian traffic, which is tantamount to tightening his blockade of Egypt. Israel will in no circumstances make a concession for her enemies to destroy her by offering them a short-cut across the Negev, and "Lamarche" points out that though Mr. Macmillan proposes it is Nasser who disposes.

"Al Hamishmar" (Mapam) writes that if the great powers are really interested in restoring calm to the border areas, they have nothing to lose by their calculations on Israel's weakness and do everything possible to convince the Arabs that they have nothing to gain from a continued aggressive attitude. Israel will stop at no sacrifice to guarantee her territorial integrity and sovereignty.

"Hako" (Local Agenda) writes that if the powers are sincere in their desire for a workable border arrangement, they should begin to see things as they really are and stop putting both the attackers and the attacked on the same plane.

"Hamodia" (World Agenda) says that if there is anybody who is anxious for border calm, it is Israel; if there is anyone who wants to see that calm disturbed — it is the Arabs. In this case, it is not Israel's point in asking Israel to exercise self-restraint.

The Economic Angle
"Herut" and "Haboker" (General Zionist) discuss the supplementary budget proposal in connection with the needs of the State and tax collection. Both papers point out that the nation has shown its spirit of alertness and sacrifice when important issues are at stake; in this case, it is the tax for the State and tax collection. The Jerusalem Association of Cafe Owners is donating IL2,500 to the Municipality for social welfare purposes under the agreement.

East Germany, Egypt Trade Ties Stronger

CAIRO, Wednesday (Reuter). — Egypt is negotiating with East Germany for aid in construction of the mammoth Aswan high dam, a project in which Britain will take part, an East German official disclosed here today.

Dr. Gottfried Leising, President of the East German Chamber of Foreign Trade, told a press conference that negotiations were going on with Egypt's National Production Council for East German Economic and Technical assistance "not only with the new high dam at Aswan but also for other projects."

Dr. Leising said Egypt and East Germany would sign a new trade agreement in Cairo tomorrow, "made between the two countries had considerably increased and that the agreement would provide 'wider scope' for it."

Dori Notes U.N. Aid to Technion

"The Technion is grateful for all the technical assistance extended to it by the United Nations," said Dr. Yehoshua Dori, President of the Technion, after he had opened a meeting of all U.N. experts at the Technion on Monday. Dr. Dori said that the U.N. experts at present teach and work at the Technion as visiting professors.

The meeting, which was held under the chairmanship of Dr. C. Hart Schaff, Resident Representative in Israel of the U.N. Technical Assistance Administration, and participated in by 25 experts, was devoted to an analytical discussion of the current Technical Assistance Programme in Israel. The meeting was also attended by Mr. Gunnar Myrdal, the Executive Secretary of the U.N. Economic Commission for Central Europe.

Social Welfare Tax Collected in Capital

A five per cent social welfare tax is being collected in Jerusalem on all hotels, restaurants and cafe bills. The tax went into effect at the beginning of the month following the agreement with the undertakings concerned.

In grade two and three establishments, five, ten and 200 per cent tips are to be presented with each bill, while in grade four and five establishments (the highest ones) the tax is to be incorporated in the bill.

The Jerusalem Association of Cafe Owners is donating IL2,500 to the Municipality for social welfare purposes under the agreement.

Where to go

Jerusalem

Your Lunch and Dinner at Herzl's Restaurant, Jerusalem. Tel. 628. Breakfast, lunch and dinner. (Open establishment in Israel.)

Exhibitions:
1) The Thousand Years of Chosen Painting, 2) French Paintings of the 20th Century, 3) Contemporary American Prints. Exhibition of the Month: Chinese Bowl and Basket (20th Century) — New Acquisition. Special Museum 5-1, 5-2.

Watercolours and woodcuts by Mordchai Aniel, copper works by Abraham Haba, "New Reality" Art Gallery, 9 Maimon Avenue, Rehovot. Daily: 10-4, 5-4.

1) Old Palestine, 2) New Palestine, 3) New Palestine, 4) New Palestine, 5) New Palestine, 6) New Palestine, 7) New Palestine, 8) New Palestine, 9) New Palestine, 10) New Palestine, 11) New Palestine, 12) New Palestine, 13) New Palestine, 14) New Palestine, 15) New Palestine, 16) New Palestine, 17) New Palestine, 18) New Palestine, 19) New Palestine, 20) New Palestine, 21) New Palestine, 22) New Palestine, 23) New Palestine, 24) New Palestine, 25) New Palestine, 26) New Palestine, 27) New Palestine, 28) New Palestine, 29) New Palestine, 30) New Palestine, 31) New Palestine, 32) New Palestine, 33) New Palestine, 34) New Palestine, 35) New Palestine, 36) New Palestine, 37) New Palestine, 38) New Palestine, 39) New Palestine, 40) New Palestine, 41) New Palestine, 42) New Palestine, 43) New Palestine, 44) New Palestine, 45) New Palestine, 46) New Palestine, 47) New Palestine, 48) New Palestine, 49) New Palestine, 50) New Palestine, 51) New Palestine, 52) New Palestine, 53) New Palestine, 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